

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### **Status of Claims:**

No claims are currently being cancelled.

Claims 1-8 are currently being amended, whereby these amendments are to place the claims in better form for U.S. Patent Practice, without materially affecting the scope of the claims.

Claims 9-12 are currently being added.

This amendment amends and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-12 are now pending in this application.

### **Indication of Allowable Subject Matter:**

Applicants appreciate the indication of allowable subject matter made in the Office Action with respect to claims 4-7. Since base claim 1 is believed to patentably distinguish over the cited art of record, as discussed in detail below, claims 4-7 have not been placed in independent form at this time.

### **Claim Rejections – Prior Art:**

In the Office Action, claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0187801 to Vanghi; and claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Vanghi in view of U.S. Patent No. U.S. Patent No. 6,556,834 to Kobayashi et al. These rejections are traversed for at least the reasons given below.

Numbered paragraphs [0008] to [0016] of Vanghi describe a method for forward link open loop power and rate control in a CDMA system. This method of Vanghi requests a mobile station to report the received pilot channel signal-to-noise ratio for all base stations in sight to a base station controller.

However, in stark contrast to this disclosure in Vanghi, the present invention according to claim 1 is directed to a decision method for inter-frequency hard handoffs in a WCDMA system. The method according to claim 1 and the method as described in Vanghi have different purposes, use different procedures and provide different effects. Moreover, the method according to the present invention does not need to request the UE to report a pilot channel signal-to-noise ratio to the RNC, but instead it only needs to report the Event 2D or 2F (see the first step of claim 1).

Numbered paragraphs [0029] to [0039] of Vanghi describe a method for setting a data burst transmission rate on common control channels during soft handoff. This method of Vanghi requests that the mobile station periodically search for pilot signals on the target frequency and report the strength of the pilot signals that are above a predetermined threshold to the base station controller.

However, in stark contrast to this disclosure in Vanghi, the present invention is directed to a decision method during hard handoff. The method according to the present invention and the method as described in Vanghi have different purposes, use different procedures and provide different effects. Moreover, the method according to the present invention does not need to request the UE to periodically report the strength of the pilot signals, since only when the triggering criteria for the required events are met does the UE need to report the measurement results (see the third step of claim 1).

Furthermore, as recited in claim 1, the RNC requests the UE to monitor the Event 2F and 2D, whereby the UE does not need to report the pilot signals periodically. Rather, only when one of the Events is satisfied does the UE need to report to the RNC.

Numbered paragraphs [0049] to [0061] of Vanghi provide a method similar to that described in numbered paragraphs [0008] to [0016] of Vanghi, discussed above.

Numbered paragraphs [0062] to [0070] of Vanghi provide a method similar to that described in numbered paragraphs [0029] to [0039] of Vanghi, discussed above.

Numbered paragraphs [0071] to [0077] of Vanghi provide a method similar to that described in numbered paragraphs [0029] to [0039] of Vanghi, discussed above. Moreover, this method of Vanghi requests the mobile station to inform the base station controller of its current location and of the strength of the pilot signals that are detected above a predetermined threshold.

However, in the present invention as exemplified by the presently pending claims, the UE does not need to report its current location and the strength of the pilot signals that are detected; rather, the UE only needs to report the Event (2F or 2D), and the RNC queries the specific conditions of the UE's location (see the first step of claim 1). If the place has another frequency cell, it activates a compression mode to perform the inter-frequency measurements (this feature is recited in dependent claims 2 and 3).

Therefore, claims 1-3 are not anticipated by Vanghi.

Since Kobayashi et al. does not rectify the above-mentioned shortcomings of Vanghi, claim 8 is patentable over the combined teachings of Vanghi and Kobayashi et al.

**New Claims:**

New claims 9-12 have been added to recite the invention as a "system", whereby new independent system claim 9 corresponds substantially to independent method claim 1, and whereby new dependent system claims 10-12 correspond substantially to dependent (and allowable) claims 4-7. Thus, claims 10-12 are believed to be in condition for allowance based on the statements made in the Office Action regarding 'objected to' claims 4-7, and claim 9 is believed to be in condition for allowance based on the comments provided above with respect to claim 1.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 12, 2006

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